

AMENDED IN ASSEMBLY APRIL 21, 2014

AMENDED IN ASSEMBLY MARCH 24, 2014

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

ASSEMBLY BILL

No. 2282

Introduced by Assembly Member Gatto

February 21, 2014

An act to add Sections 17921.5 and 18940.6 to the Health and Safety Code, relating to building standards.

LEGISLATIVE COUNSEL'S DIGEST

AB 2282, as amended, Gatto. Building standards: recycled water infrastructure.

The California Building Standards Law provides for the adoption of building standards by state agencies by requiring all state agencies that adopt or propose adoption of any building standard to submit the building standard to the California Building Standards Commission for approval and adoption. In the absence of a designated state agency, the commission is required to adopt specific building standards, as prescribed. Existing law requires the commission to publish, or cause to be published, editions of the code in its entirety once every 3 years. Existing law requires the Department of Housing and Community Development to propose the adoption, amendment, or repeal of building standards to the California Building Standards Commission and to adopt, amend, and repeal other rules and regulations for the protection of the public health, safety, and general welfare of the occupants and the public involving buildings and building construction.

This bill would require the Department of Housing and Community Development, in consultation with other designated entities, to conduct

research to assist in the development of, and to propose the adoption, amendment, or repeal by the California Building Standards Commission, of mandatory building standards for the installation of ~~future~~ recycled water infrastructure for *newly constructed* single-family and multifamily residential buildings. The bill would authorize the department to expend funds from the existing Building Standards Administration Special Revolving Fund for this purpose upon appropriation. The bill would require the department to limit the mandate to install recycled water piping to areas within a local jurisdiction that meet specified conditions, and to consider whether a service area plans to provide ~~direct~~ potable water prior to mandating the use of recycled water piping. This bill would require the State Building Standards Commission to undertake identical research and activities with respect to development of mandatory green building standards for the installation of ~~future~~ recycled water infrastructure for *newly constructed* commercial and public buildings.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 17921.5 is added to the Health and Safety
- 2 Code, to read:
- 3 17921.5. (a) (1) The department shall conduct research to
- 4 assist in the development of mandatory building standards for the
- 5 installation of ~~future~~ recycled water infrastructure for *newly*
- 6 *constructed* single-family and multifamily residential buildings.
- 7 In conducting this research, the department shall actively consult
- 8 with the State Water Resources Control Board and other interested
- 9 parties, including, but not limited to, local water utility companies,
- 10 product manufacturers, local building officials, apartment owners,
- 11 certified contractors, and the building industry.
- 12 (2) In researching, developing, and proposing mandatory
- 13 building standards under this section, the department may expend
- 14 funds from the Building Standards Administration Special
- 15 Revolving Fund upon appropriation pursuant to Section 18931.7.
- 16 (3) Research conducted in order to propose building standards
- 17 pursuant to this section shall include, but is not limited to, the
- 18 following:

1 (A) Potential outdoor applications for recycled water, including
2 drip and sprinkler irrigation and use in certain aesthetic water
3 features.

4 (B) Potential indoor applications for recycled water, including
5 use in toilets, washing machines, or both. With respect to indoor
6 applications, the department shall consider whether to adopt or
7 recommend ~~natures~~ *measures* to ensure that indoor recycled water
8 piping is safely installed, including, but not limited to, requiring
9 special markings on recycled water piping that states clearly
10 whether it is approved for indoor use, or recommending restrictions
11 on who may purchase or install recycled water piping for indoor
12 use.

13 (C) The cost of various recycled water systems and
14 infrastructure.

15 (D) The estimated quantity of water savings under varying levels
16 of application of recycled water in residential buildings and
17 adjacent landscaping.

18 (b) (1) The department shall propose the adoption, amendment,
19 or repeal by the California Building Standards Commission
20 pursuant to Chapter 4 (commencing with Section 18935) of Part
21 2.5, of mandatory building standards for the installation of future
22 recycled water infrastructure for single-family residential and
23 multifamily residential buildings. The department shall submit
24 these proposed mandatory building standards to the commission
25 for consideration in the next regularly scheduled Intervening Code
26 Cycle adopted after January 1, 2017.

27 (2) When developing the application provisions for the
28 mandatory building standards, the department shall limit the
29 mandate to install recycled water piping to only those areas within
30 a local jurisdiction that have feasible and cost-efficient access to
31 a water recycling facility, or that have been identified by the local
32 jurisdictions residing within a planned service area for the provision
33 of recycled water for which a specific implementation timeline
34 has been identified.

35 (3) The department shall consider whether a service area plans
36 to provide ~~direct~~ potable water prior to mandating the use of
37 recycled water piping.

38 (4) *In developing the building standards required under*
39 *paragraph (1), the department shall consider the definition for*

1 *recycled water as established in Section 60301 of Title 22 of the*
2 *California Code of Regulations.*

3 SEC. 2. Section 18940.6 is added to the Health and Safety
4 Code, to read:

5 18940.6. (a) (1) The California Building Standards
6 Commission shall conduct research to assist in the development
7 of mandatory green building standards for the installation of ~~future~~
8 recycled water infrastructure for *newly constructed* commercial
9 and public buildings. In conducting this research, the commission
10 shall actively consult with the State Water Resources Control
11 Board and other interested parties, including, but not limited to,
12 local water utility companies, product manufacturers, local building
13 officials, apartment owners, certified contractors, and the building
14 industry.

15 (2) In researching, developing, and proposing mandatory
16 building standards under this section, the commission may expend
17 funds from the Building Standards Administration Special
18 Revolving Fund upon appropriation pursuant to Section 18931.7.

19 (3) Research conducted in order to propose building standards
20 pursuant to this section shall include, but is not limited to, the
21 following:

22 (A) Potential outdoor applications for recycled water, including
23 drip and sprinkler irrigation and use in certain aesthetic water
24 features.

25 (B) Potential indoor applications for recycled water, including
26 use in toilets, washing machines, or both. With respect to indoor
27 applications, the commission shall consider whether to adopt or
28 recommend measures to ensure that indoor recycled water piping
29 is safely installed, including, but not limited to, requiring special
30 markings on recycled water piping that states clearly whether it is
31 approved for indoor use, or recommending restrictions on who
32 may purchase or install recycled water piping for indoor use.

33 (C) The cost of various recycled water systems and
34 infrastructure.

35 (D) The estimated quantity of water savings under varying levels
36 of application of recycled water in commercial and public buildings
37 and adjacent landscaping.

38 (b) (1) The Building Standards Commission shall develop and
39 adopt mandatory building standards for the installation of future
40 recycled water infrastructure for commercial and public buildings

1 in the next regularly scheduled Intervening Code Cycle adopted
2 after January 1, 2017.

3 (2) When developing the application provisions for the
4 mandatory building standards, the commission shall limit the
5 mandate to install recycled water piping to only those areas within
6 a local jurisdiction that have feasible and cost-efficient access to
7 a water recycling facility, or that have been identified by the local
8 jurisdictions residing within a planned service area for the provision
9 of recycled water for which a specific implementation timeline
10 has been identified.

11 (3) The commission shall consider whether a service area plans
12 to provide ~~direct~~ potable water prior to mandating the use of
13 recycled water piping.

14 (4) *In developing the building standards required under*
15 *paragraph (1), the department shall consider the definition for*
16 *recycled water as established in Section 60301 of Title 22 of the*
17 *California Code of Regulations.*